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### REMARKS

Applicant's attorney thanks the Examiner and Supervisor Primary Examiner for the telephone interview on April 24, 2003. Applicant submits this Amendment in accordance with the solicitation in the Interview Summary of a further response from Applicant.

Based on the present Amendments, Applicant overcomes the present rejection as understood from the telephone interview. In particular, as discussed in the telephone interview, support for an artificial structure in a hydrological feature can be found in the application as filed. Applicant regards the present amendments solely as clarifying the claims to put them in allowable form. For example, the present amendment changes "a hydraulic structure" to "an artificial structure in or over a hydrological feature." There is no narrowing made by the amendment because "a hydraulic structure" is an artificial structure (including a bridge, a levee, a dam, a pier, a culvert or an abutment) in a hydrological feature.

To the extent that the Examiner believed that "structural data" in claim 1 could be read in the claims as "hydraulic structural data," Applicant maintains that such a reading was not possible in view of the teaching of the specification or the applicable principles of claim construction. Nonetheless, this amendment and these remarks make clear that the structural data claimed is data of the kind supported by the written description. See the specification, inter alia, at p.14, line 8 to p. 15, line 8, and Figures 3 and 5 for the structural data. Therefore the present amendment does not operate to limit or narrow the scope of the claims because it merely clarifies how the written description supports the claims.

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### CONCLUSION

Applicants submit that the above remarks place the application in condition for allowance and respectfully requests a timely Notice of Allowance be issued in this case. If a telephone conference with the Applicants' attorney would expedite prosecution, the Examiner is invited to call the undersigned attorney at the telephone number listed below.

No fee should be necessary for this response. However, Applicant requests that charges for any underpayments or credit for any overpayments be made to our Deposit Account No. 06-1448.

Respectfully submitted,

Foley Hoag LLP



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Date:

6/5/2003

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